

7246. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti and Robert Emilio (Emilio and Campolieti). Pleas of guilty. Fine, \$5. (F. & D. No. 10044. I. S. No. 2677-p.)

On July 22, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti and Robert Emilio, copartners, trading as Emilio & Campolieti, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on January 30, 1918, from the State of New York into the State of Rhode Island, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "Finest Quality Olive Oil Extra Pure Termini Imerese Sicilia-Italia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist principally of cottonseed oil and to be short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil Extra Pure," "Guaranteed Absolutely Pure," and "Termini Imerese Sicilia-Italia $\frac{1}{2}$ gallon net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{2}$ gallon net of the article, but contained a less amount; for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Italy; for the further reason that it was a mixture composed in part of cottonseed oil, prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that, by the statements borne on the label, it purported to be a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

7247. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti and Robert Emilio (Emilio and Campolieti). Pleas of guilty. Fine, \$5. (F. & D. No. 10045. I. S. No. 2678-p.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti and Robert Emilio, copartners, trading as Emilio & Campolieti, New York, N. Y., alleging ship-

ment by said defendants, in violation of the Food and Drugs Act, as amended, on January 30, 1918, from the State of New York into the State of Rhode Island, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "Olio Puro D'Oliva (picture of natives gathering ripe olives) * * * Garantito Produzione Propria."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist principally of cottonseed oil and to be short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio Puro D'Oliva," "Olio Puro D'Oliva Garantito Produzione Propria," and "Lucca Italy Net Contents Full Quarter Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained a full quarter gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain a full quarter gallon net of the article, but contained a less amount; for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Italy; for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of olive oil and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that, by the statements on the label aforesaid, it purported to be a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

7248. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti and Robert Emilio (Emilio & Campolieti). Pleas of guilty. Fine, \$5. (F. & D. No. 10046. I. S. No. 13707-r.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti and Robert Emilio, copartners, trading as Emilio & Campolieti, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on February 14, 1918, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "Finest Quality Olive Oil Extra Pure Termini Imerese Sicilia-Italia," which was adulterated and misbranded.

Analysis of samples of the article by the Bureau of Chemistry of this department showed it to consist principally of cottonseed oil and to be short volume.